HONOURABLE SRI JUSTICE ELIPE DHARMA RAO

W.P.No.16893 of 2005

Dated:01st August, 2005

Between:

Guthula Venkateswara Rao

…PETITIONER

and

1. Revenue Divisional Officer (Appellate Authority),

Kovvur, W.G.District, and another.

…RESPONDENTS

HONOURABLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16893 of 2005

ORDER:

This writ petition is filed by the petitioner aggrieved of the inaction of the first respondent in disposing of his appeal dated 26-07-2005 filed against the order passed by the second respondent dated 28-05-2005.

2. According to the petitioner, he purchased the land in R.S.No.160/1 of Manchili village admeasuring an extent of Ac.0-73 cts. under a registered sale

deed dated 09-04-1981 and the Revenue Department gave pattadar passbook and title deed in his name. Accordingly, the petitioner is in possession and enjoyment of the said land. While so, the Revenue Inspector, Attili, obtained the signature of the petitioner in Form No.I notice dated 28-02-2005. Thereafter, the second respondent-Mandal Revenue Officer passed the resumption order dated 28-05-2005 without affording any opportunity of being represented the case of the petitioner directing him to deliver possession of the land. Aggrieved thereby, the petitioner filed an appeal before the first respondent along with an application seeking stay of all further proceedings pursuant to the orders passed by the first respondent. But no orders have been passed. Hence, the present writ petition.

3. Heard both the learned counsel and considered the material on record.

4. Considering the facts and circumstances of the case, the writ petition is disposed of at the stage of admission directing the first respondent-Revenue Divisional Officer, Kovvur, West Godavari District, to consider and dispose of the appeal filed by the petitioner against the order of the second respondent within a period of twelve weeks from the date of receipt of a copy of this order and pass appropriate orders on merits, in accordance with law, after giving reasonable opportunity of hearing the petitioner. Till such time, there shall be an interim direction to the respondents not to interfere or evict the petitioner from the land in question and further, there shall be interim stay of all further proceedings pursuant to the order dated 28-05-2005 in R.O.C.No.58 of 2005 passed by the second respondent, pending consideration of the appeal by the first respondent.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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E.DHARMA RAO, J

01st August, 2005

ISL/SKM